

PATENT
GKS 101.0
7911/83687
SLNjs

July 3, 2002

In Re Patent Application
Jürgen MARKL-Grünecker Kinkeldey
NUCLEIC ACID MOLECULE COMPRISING A NUCLEIC ACID SEQUENCE
CODING FOR A HAEOMOCYANIN
International Application No. PCT/EP00/02410
International Filing Date: March 17, 2000

Communication Letter (2 pages); Notification of Missing Requirements Under 35 U.S.C. 371 in The
United States Designated/Elected Office (DOIEO/JUS) (2 pages); Declaration and Power of Attorney (3
pages) Check in the amount of \$130.00, and this postcard.

Commissioner for Patents

Sir.
Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark
Office receipt hereunto and mailing this card.

Respectfully submitted,
WFISH & KATZ LTD
[Signature]

525 REC'D 03 JUL 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jürgen MARKL-) PATENT
Grünecker Kinkeldey)
)
U.S. Serial No.: 09/936,852) Attorney Docket
Corresponding to PCT/EP00/02410) GKS 101.0
) (7911/83687)
Filed: September 17, 2001)
)
For: NUCLEIC ACID MOLECULE COMPRIS-)
ING A NUCLEIC ACID SEQUENCE)
CODING FOR A HAEMOCYANIN)
)
Examiner: Not yet assigned)

COMMUNICATION

Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

In response to the Notice of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office, dated May 7, 2002 (copy attached), enclosed are Declaration and Power of Attorney documents executed by the applicants of the above-identified application.

Enclosed is Check No. 075516 in the amount of \$130.00 to cover the surcharge for providing the Oath and Declaration set forth in 37 C.F.R. 1.492(e)

No further fee or petition is believed to be necessary in addition to those that are enclosed. Should any fee be needed, please charge our Deposit

Serial No.: 09/936,852 -2-
Corresponding to PCT/EP00/02410

Account No. 23-0920, and deem this paper to be the
required petition.

Respectfully submitted,

By Shannon Nebolsky
Shannon L. Nebolsky, Reg. No. 41,217

WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Phone (312) 655-1500
Fax No. (312) 655-1501

Enclosures
Notice of Missing Requirements
Executed Declaration and Power of Attorney documents
Surcharge

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this Communication,
in duplicate, the Notice of Missing Requirements, an
executed Declaration and Power of Attorney, and
surcharge are being deposited with the United States
as Express Mail, Express Mail Mailing Label No.
EL769846633US, in an envelope addressed to,
Commissioner for Patents, Box PCT, Washington, D.C.
20231, on July 3, 2002.

Frank Franks

DOCUMENT HAS A COLORED BACKGROUND. AN ULTRAVIOLET INK FEATURE AND A SIMULATED WATERMARK ON THE BACK

WELSH & KATZ, LTD.
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CHICAGO, IL 60606
(312) 655-1500

NORTHERN TRUST COMPANY
CHICAGO, IL 0710
Payable Through
Northern Trust Bank / DuPage
Oakbrook Terrace, IL

075516

DATE	07-03-2002
AMOUNT	\$130.00

719

ONE HUNDRED THIRTY AND 00/100 DOLLARS

**COMMISSIONER OF PATENTS
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WASHINGTON DC 20231

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COMMISSIONER OF PATENTS	REF #	TOTAL	\$130.00

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9 JUL 2002

FORM PTO-1390 (REV. 12-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				7911-83687 GK5-1 1.0
INTERNATIONAL APPLICATION NO.		INTERNATIONAL FILING DATE		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
PCT/EP00/02410		March 17, 2000		09/936,852
TITLE OF INVENTION		Nucleic Acid Molecule Comprising a Nucleic Acid Sequence Coding for a Haemocyanin		
APPLICANT(S) FOR DO/EO/US				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none">a. <input type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>				

21. The following fees are submitted:

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$18.00	\$
Independent claims	- 3 =		x \$84.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$
SUBTOTAL =				\$
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
TOTAL FEES ENCLOSED =				\$ 130.00
7/12/2002 GEREYI 00000032 09936852 FC: 54 130.00 OP				Amount to be refunded: \$
				charged: \$

- a. A check in the amount of \$ 130.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0920. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:


SIGNATURE

SHANNON L. NEBOLSKY
NAME

41217
REGISTRATION NUMBER